GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

The A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) – Order of Preventive detention made by the Collector and District Magistrate, Guntur District in respect of Sri Maddirala Gopi @ Gopaiah, S/o Venkaiah, Age 20 years, R/o Gudisevasula Colony, 2nd Lane, Guntur Town, Guntur District, Andhra Pradesh State – Confirmed Orders – Issued.

GENERAL ADMINISTRATION (SC.I) DEPARTMENT

G.O.Rt.No.1616 Dated:11.08.2023.

Read the following:-

1. From the Collector and District Magistrate, Guntur Dist., Guntur Proceedings No. 234/2023-C1, Dt:16.06.2023
2. G.O.Rt.No.1245, GA(SC.I) Department, Dt.26.06.2023.
3. Govt.Letter No.2118465/GAD01-LOOACTS(PDAA)/94/2023-SC.I/A3-2, Dt:03.07.2023
4. Memo No: 2119073-GAD01-LOOACTS (PDAA)/96/SC.I/A3/2023-3 Dt:24.07.2023
5. From the Advisory Board Report Dated:28.07.2023.

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ORDER:

WHEREAS, the Collector and District Magistrate, Guntur District, has made an order of detention, vide reference first read above under Section-3(1) & (2) r/w Section 2(f) & 2(g) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986), against Sri Maddirala Gopi @ Gopaiah, S/o Venkaiah, Age 20 years, R/o Gudisevasula Colony, 2nd Lane, Guntur Town, Guntur District, Andhra Pradesh State, as he is indulging in illegal activities in contravention of Indian Penal Code and Narcotic Drugs and Psychotropic Substances Act, 1985 (Central Act 61 of 1985) and the rules. He has been indulging in the acts of possession, selling and distributing the Ganja and committing bodily offences against the innocent public without any personal/ specific reasons in contravention of the Indian Penal Code and Narcotic Drugs and Psychotropic Substances Act, 1985 for his monetary gain by targeting the general public particularly luring the teenagers/youth by offering cannabis, abetted to commit offences which comes under the category of "Drug Officer" 2(f) and "Goonda" 2(g) of the PD Act, 1986. He has been continuously committing the offences under NDPS Act, 1985 and acting in any manner prejudicial to the maintenance of public order. He was arrested and sent to jail in every case, but enlarged on bail.

2. AND WHEREAS, the Government have accorded approval of the said detention order under sub-section (3) Section 3 of the Act, vide Government Orders second read above;

3. AND WHEREAS, under Section 10 of the Act, Government within three weeks from the date of detention of a person under the order shall place the case before the Advisory Board on Preventive Detentions, constituted under Section 9 of the said Act, comprising of Justice Sri Neelam Sanjiva Reddy (Retired), Chairman and two Members of the Advisory Board shall submit its report to Govt., within seven weeks from the date of detention under Section 11(1) of the said Act. The above said case was placed before the Advisory Board for its consideration and to submit its report to Government, under Section 11 (1) of the said Act, vide reference 3rd read above. The case was reviewed by the Advisory Board on 28.07.2023 through video conference. After having heard the detenue, and the Investigating Officer, who have attended the Video Conference and also upon perusing the grounds of detention and the connected records, the Advisory board has reported unanimously that in its opinion, "there is sufficient cause for the detention of the detenue".

(P.T.O.)

5. AND WHEREAS, the Government on careful examination of the entire record, it is observed that Sri Maddirala Gopi @ Gopaiah, S/o Venkaiah, Age 20 years, R/o Gudisevasula Colony, 2nd Lane, Guntur Town, Guntur District, Andhra Pradesh State is found to be involved in as many as in seven (07) cases mentioned in the grounds of detention. All the instances mentioned above clearly establish that he indulged in this illegal activity in a clandestine manner repeatedly, violating the provisions of AP PD Act, 1986 with a view to gain monetary benefit at the cost of health of poor people, as it is evident from number of such cases booked against him which are registered under various provisions U/s 366(A) r/w 34 IPC Sec 8 of POCSO Act 2012, 307, 384, 294(b), 324, 323, 506 r/w 34 IPC, U/s 8(C) r/w 2(b) of NDPS Act, 1985, U/s 394 r/w 34 IPC. The said offences are punishable under Chapter XVI Chapter XVII or Chapter XXII of IPC. As such, the activities of the individual falls under and within the meaning of "Drug Offender" as defined under section 2(f) and "Goonda" inder section 2(g) of Act 1 of 1986. The detaining authority having taken into account and consideration of indulgence of the detenue in the above said activities repeatedly at regular intervals and having satisfied that the penal laws have failed to curb him illegal activities, has passed the detention order against the detenue by invoking the provisions under the Act 1 of 1986, in order to prevent him from indulging further in such activities, which are prejudicial to maintenance of public order. The Advisory Board after review of the case, has opined that there is sufficient cause for the detention of the detenue. As such, the detenue deserves the maximum period of detention, as provided under Section 13 of the Act;

5. Now, therefore, after due consideration of the report of the Advisory Board and the material available on record, and in exercise of the powers conferred under sub-section (1) of Section 12 read with Section 13 of the said Act, the Order of Detention made by the Collector and District Magistrate, Guntur District in the reference 1st read above, as approved in the G.O.2nd read above are hereby confirmed by the Government. The detention of Sri Maddirala Gopi @ Gopaiah, S/o Venkaiah, Age 20 years, R/o Gudisevasula Colony, 2nd Lane, Guntur Town, Guntur District, Andhra Pradesh State, shall be for a period of 12 (Twelve) months from the date of his detention, i.e., 18.06.2023 under Section 13 r/w Section 12(1) of the said Act 1/1986.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.K.S.JAWAHAR REDDY
CHIEF SECRETARY TO GOVERNMENT

To

Sri Maddirala Gopi @ Gopaiah, S/o Venkaiah, Age 20 years, R/o Gudisevasula Colony, 2nd Lane, Guntur Town, Guntur District, Andhra Pradesh State, through the Superintendent of Jails, Central Prison, Rajamahendravaram.

The Superintendent of Jails, Central Prison, Rajamahendravaram (He should serve the Order on the detenue immediately under proper dated acknowledgment and arrange to read over and explain the contents of the same in the language known to the detenue and report compliance to the Government forthwith)

The Collector and District Magistrate, Guntur District, Guntur.

The Superintendent of Police, Guntur District, Guntur.

Copy to:

The Director General of Police, A.P., Mangalagiri, Guntur District.

The Director General of Prisons and Correctional Services, A.P., Vijayawada.

The Director General of Police, Intelligence, A.P., Vijayawada.

The Spl. G.P., Attached to Learned Advocate General, A.P. High Court, Nelapadu, Amaravathi, Guntur District.

SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER (SC)